THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.22445/1995

Dt.18-7-2007

M.V.V.S.N.PRASAD.

..Petitioner

V.

1. The Nagarjuna University, represented by its Registrar, Nagarjuna Nagar and two others.

..Respondents.

THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.22445/1995

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Oral order:

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The petitioner who was appointed as attender and posted to Andhra University Post Graduate Courses, Nuzvid in the existing vacancy by proceedings dt. 6-5-1978 was called upon to produce the caste certificate evidencing that he belongs to Scheduled Tribe. Pursuant to the appointment order, the petitioner produced the caste certificate dt. 4-10-1978 issued by the Tahsildar, Nuzvid. Thereafter, he was promoted to the post Record Assistant and his probation was also declared satisfactory by order dt. 18-11-1982. In the said proceedings also, it was not mentioned that he was promoted in the reserved category meant for STs. Thereafter, he was appointed to the Special Grade Post/Special Promotion Post Scale-I by proceedings dt. 18-2-1994, and while working as such, his services were terminated by the impugned proceedings of the Registrar, Nagarjuna University, Nagarjuna Nagar dt. 25-9-1995 stating that he was appointed as Attender against the vacancy reserved for Schedule Tribe and reported to duty on 11-5-1978; during the course of enquiry it was known that caste certificate issued by the Tahsildar, Nuzvid was referred to the District Collector for verification; the District Collector, Krishna District after elaborate enquiry issued orders dt. 3-6-1994 holding that petitioner did not belong to Konda Kapu; explanation offered by the petitioner to the show cause notice issued basing on the orders of the District Collector dt. 3-6-1994 was not satisfactory. Questioning the termination of the service and also cancellation of caste certificate, the petitioner filed the present writ petition.

In the counter filed by the respondent-University, it is categorically asserted that the petitioner was appointed in P.G. Centre, Nuzvid in the vacancy reserved for ST class and was called upon to produce the caste certificate from the competent authority and when

the Distinct Collector cancelled the caste certificate issued by the Tahsildar, Nuzvid that he did not belong to Konda Kapu community, his services were terminated.

The learned counsel for the petitioner submits that the petitioner made a detailed representation to the Vice-Chancellor of the Nagarjuna University stating that he was not appointed in the vacancy earmarked for ST category and he was selected in the open category and he will not claim any salary from the date of his termination till his case was considered for re-instatement and requests the court to direct the Vice-Chancellor to consider his case sympathetically and pass appropriate orders.

Learned Standing Counsel for the respondent-University submits that necessary orders have been passed by the Vice-Chancellor on the representation submitted by the petitioner in the last week.

In view of the same, it is suffice in the interest of justice to direct the respondent to dispose of the representation, if any received by the Vice-Chancellor, and intimate the result of the same to the petitioner.

The writ petition is accordingly disposed of. No costs.

A.GOPAL REDDY,J

Dt.18-7-2007
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